



**TOWN OF ACTON**  
472 Main Street  
Acton, Massachusetts, 01720  
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## **Municipal Properties Department**

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August 23, 2005

Mr. George Dimakarakos, P.E.  
Stamski And McNary, Inc.  
80 Harris Street  
Acton, MA 01720

Dear Mr. Dimakarakos,

I am in receipt of your request to remove three Oak trees located on Pope Road near the intersection of Brabrook Road, dated June 21, 2005. This request was made under both MGL Chapter 87, which governs the actions of the Tree Warden, and also under MGL Chapter 40, Section 15C, the Scenic Roads Act, which is administered by the Planning Board. I am also in receipt of your letter dated August 23, 2005, which includes a portion of a report from your traffic engineer, which bolsters your argument for the removal of the trees. As you recall, we met at the site in June, and since that time I have made several return visits to post and examine the trees.

I will admit that a first blush your argument for the removal of the trees seems like a reasonable one, especially in light of the traffic safety argument. However, your very persuasive arguments need to be balanced with other factors:

1. These trees, ranging in diameter from 20 inch DBH to 36 inch DBH, are very significant, and add to the visual beauty of Pope Road.
2. At least as can be determined from a ground level inspection, these trees appear free from recognized hazards, and are healthy.
3. The Town of Acton took the action many years ago to declare Pope Road, among others, as Scenic Roads, thus giving the trees and stone walls an added degree of protection; this action, undertaken by Town Meeting, should not be overlooked.
4. It has become generally accepted by many Town Planners and Arborists that large street trees, and other street "furniture" in close proximity to the roadway, actually act as traffic calming features, and slow traffic. Removal of the trees and other obstructions along the edge of the roadway may actually cause traffic speeds to increase.
5. It appears that there have been no traffic accidents at this intersection attributable to poor sight distance.
6. There are a number of possible actions that could be taken to eliminate this perceived sight distance traffic hazard while still retaining the trees. Such actions could include enhanced traffic speed enforcement, speed bumps, advisory signage, or a stop sign on Pope Road, which might also help in slowing down traffic before it reached the more densely populated section of Pope Road and Great Road.

I will note at this point that you have asked permission to remove three Oak trees, and while we were on site I noted a fourth Oak, at the North end of the site under discussion. This tree has been hit repeated by vehicles and has basal rot as a result of these strikes, which should be removed under any situation. We also noted a small Hickory that was very close to the electric wires, which might be of concern to NSTAR. Action on the removal of these trees is a separate matter from your request.

MGL Chapter 87, section 4 requires that if objections are made to the removal of Public Shade Trees, the matter must be decided by the Board of Selectmen. At this point, two written objections have been submitted, one with multiple signatures. Regardless of those objections, my own view is that there are significant issues here, which should be determined by the Board of Selectman. As Tree Warden, my first obligation is the protection of Public Shade Trees, unless there is overwhelming evidence that the trees, in and of themselves, present an immediate hazard to life and property. The Board of Selectmen, must, in their wisdom, strike the balance between the value of the trees in question and the perceived traffic safety improvements.

The request to remove the trees under MGL Chapter 87 is hereby **DENIED**. The Planning board can take its own action in regards to the Scenic roads request. My decision on the removal of the trees under MGL Chapter 87 can be appealed by the applicant to the Board of Selectmen.

Sincerely,



Dean A. Charter, MCA  
Tree Warden